

HOUSE BILL 1267

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 14; Title 38; Title 39; Title 47; Title 49 and
Title 67, relative to the duties of the sports
wagering advisory council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-51-302, is amended by deleting subdivision (28) and substituting instead the following:

(28) "Wager" or "bet" means a sum of money that is risked by a bettor on the unknown outcome of one (1) or more sporting events, including, but not limited to, the form of fixed-odds betting, a future bet, live betting, a money line bet, pari-mutuel betting, parlay bet, pools, proposition bet, spread bet, or in any other form or manner as authorized by rule promulgated in accordance with this part.

SECTION 2. Tennessee Code Annotated, Section 4-51-302, is amended by adding the following new subdivision:

() "Rule" means a bylaw of the corporation adopted in a joint meeting of the board and council in accordance with § 4-51-306.

SECTION 3. Tennessee Code Annotated, Section 4-51-304, is amended by adding the following new subsection:

The board and council shall promulgate rules to carry out this section.

SECTION 4. Tennessee Code Annotated, Section 4-51-305(a), is amended by deleting the subsection and substituting instead the following:

(a) There is created a lottery corporation sports wagering advisory council to assist the corporation with sports wagering activities conducted in accordance with this

part. The board and its employees and staff shall provide administrative assistance to the council with respect to its duties under this part at the request of the council.

SECTION 5. Tennessee Code Annotated, Section 4-51-305(l), is amended by deleting the language "at the call of the board" and substituting instead "at the call of the chair".

SECTION 6. Tennessee Code Annotated, Section 4-51-305(n), is amended by deleting the subsection and substituting instead the following:

(n) The council shall:

(a) Advise the board of best practices with respect to sports wagering;

and

(b) Meet jointly with the board for purposes of promulgating rules and taking disciplinary action against a licensee under this part.

SECTION 7. Tennessee Code Annotated, Section 4-51-306(b), is amended by deleting the subsection and substituting instead the following:

(1) The board and council, meeting jointly, shall promulgate rules in accordance with this part. A quorum of both the board and council, respectively, must be present at the joint meeting for purposes of adopting rules. Rules must be adopted by a majority of those present and voting.

(2) Rules promulgated under this part must be amended or repealed in the same manner as the board and council adopt such rules.

SECTION 8. Tennessee Code Annotated, Section 4-51-309, is amended by deleting the language "board" and substituting instead "board and council".

SECTION 9. Tennessee Code Annotated, Section 4-51-310, is amended by deleting the language "The board shall" and substituting instead "The board and council shall".

SECTION 10. Tennessee Code Annotated, Section 4-51-312(b), is amended by deleting the language "board" and substituting instead "board and council".

SECTION 11. Tennessee Code Annotated, Section 4-51-314(a), is amended by deleting the language "board" wherever it appears and substituting instead "board and council".

SECTION 12. Tennessee Code Annotated, Sections 4-51-317(a), (b)(9) and (11), and (e), are amended by deleting the language "board" wherever it appears and substituting instead "board and council".

SECTION 13. Tennessee Code Annotated, Section 4-51-317(f), is amended by deleting the last sentence of the subsection and substituting instead the following:

The fees collected from licensees under this section must be used by the corporation to pay the actual operating and administrative expenses incurred under this part, including those incurred by the board and council.

SECTION 14. Tennessee Code Annotated, Section 4-51-318(a)(3), is amended by deleting the language "board" and substituting instead "board and council".

SECTION 15. Tennessee Code Annotated, Section 4-51-319(b), is amended by deleting the language "board" and substituting instead "board and council".

SECTION 16. Tennessee Code Annotated, Section 4-51-320, is amended by deleting from subdivisions (5) and (7) the language "board" and substituting instead "board and council".

SECTION 17. Tennessee Code Annotated, Section 4-51-321, is amended by deleting the language "board" and substituting instead "board and council".

SECTION 18. Tennessee Code Annotated, Section 4-51-322(b), is amended by deleting the language "board" and substituting instead "board and council".

SECTION 19. Tennessee Code Annotated, Sections 4-51-324(a)(3) and (d), are amended by deleting the language "board" wherever it appears and substituting instead "board and council".

SECTION 20. Tennessee Code Annotated, Sections 4-51-325(f)(4) and (j), are amended by deleting the language "board" wherever it appears and substituting instead "board and council".

SECTION 21. Tennessee Code Annotated, Section 4-51-326, is amended by deleting from subsection (a) the language "conduct" and substituting instead "call"; and is further amended by deleting the last sentence of subsection (a) and substituting the following:

The board shall conduct investigations and, meeting jointly with the council, conduct hearings in accordance with rules adopted by the board and council.

The board shall consult with members of the council for purposes of establishing the date of a hearing called under this section. Hearings held under this section must be held jointly with the council, with a quorum present from each respective entity. Final disciplinary action must only be taken by a majority vote of those present and voting.

SECTION 22. Tennessee Code Annotated, Section 4-51-326(b), is amended by deleting the language "board determines" and substituting instead "board and council determine"; and is further amended by deleting the language "board, the board may" and substituting instead "board and council, the board and council may".

SECTION 23. Tennessee Code Annotated, Section 4-51-326, is amended by deleting from subsection (c) the language "board" and substituting instead "board and council"; and is further amended by deleting from subsection (d) the language "rules of the board" and substituting instead "rules of the board and council".

SECTION 24. Tennessee Code Annotated, Section 4-51-327, is amended by deleting from subsection (b) the language "board finds" and substituting instead "board and council find"; and further amended by deleting from subdivisions (b)(1) and (2) and subsection (c) the language "board" wherever it appears and substituting instead "board and council".

SECTION 25. Tennessee Code Annotated, Section 4-51-328, is amended by deleting the language "board" wherever it appears and substituting instead the language "board and council".

SECTION 26. This act takes effect upon becoming law, the public welfare requiring it.